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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
841 Chestnut Building  
Philadelphia, Pennsylvania 19107-4431

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

JUN 26 1998

Mr. Melvin L. Cooper, Chairman  
U.C.O. - M.B.A. Corporation  
145 Mason Street  
Greenwich, CT 06830

Re: Metal Bank Superfund Site

Dear Mr. Cooper:

EPA has determined that the proposal submitted by your company to perform the Remedial Design is not a good faith offer. Therefore, enclosed please find an Administrative Order for Remedial Design and Remedial Action ("Order") issued by the United States Environmental Protection Agency ("EPA") to your company in regard to the above matter.

Please note that in accordance with section XXIV of the Order, the Order becomes effective thirty (30) calendar days after the day it is signed by EPA. Section XXIV also provides a period of no more than twenty (20) calendar days from the date the order is signed by EPA for a conference with EPA to discuss the order. Section XXV requires your company to notify EPA within two (2) calendar days after the effective date of the Order of your company's intent to comply with the Order.

Please refer to the Order for the specific actions the company is required to undertake and the time frames within which such actions must be taken. Failure to comply with this Order may subject the company to civil penalties of up to \$27,500 per day and/or punitive damages in an amount up to three times the amount of any costs incurred by EPA as a result of the company's failure to take proper action under the Order, as set forth in Section XXII of the Order.

If you have any technical questions concerning this matter, please contact Linda Dietz, Remedial Project Manager, at (215) 566-3195. Legal questions can be directed to Elizabeth Lukens, Senior Assistant Regional Counsel, at (215) 566-2661.

Sincerely,

Abraham Ferdas, Director  
Hazardous Site Cleanup Division

AR000217

**Enclosure**

**cc: Ms. Linda Dietz (3HS21)  
Elizabeth Lukens (3RC23)  
Mr. Anthony Dappolone (3HS21)  
David Topol, Esquire (DOJ)  
Mr. Kevin Hess (PADEP)  
Mark Barash, Esquire (DOI)  
Sharon Shutler, Esquire (NOAA)  
Mattioni, Mattioni & Mattioni**

**AR000218**